



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JOHN F. SCHUNHOFF, Ph.D.
Chief Deputy Director

313 North Figueroa Street, Room 806
Los Angeles, California 90012
TEL (213) 240-8156 • FAX (213) 975-1273

www.lapublichealth.org



BOARD OF SUPERVISORS

Gloria Molina
First District

Yvonne B. Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

March 23, 2007

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. *J. Fielding*
Director and Health Officer

SUBJECT: **7th STREET PRODUCE MARKET UPDATE**

On February 6, 2007, the Board approved two motions concerning the KNBC-TV report depicting unsafe food storage practices, lax enforcement practices, and inappropriate behavior of wholesale food market operators at the 7th Street Wholesale Produce Market.

Supervisor Burke's motion instructed me to 1) report back within 15 days with a specific plan to address public health problems at the wholesale produce markets, specifically the 7th Street Wholesale Produce Market, including review of such options as more frequent inspections, revised inspection criteria, and increased sanctions for violations, and 2) conduct an investigation of staff failures in the inspection of the market.

A motion by Supervisors Antonovich and Yaroslavsky, instructed me to report back within 15 days on 1) recommendations for increasing the number of produce vendor inspections to be required on an annual basis, 2) any appropriate changes in either State or County regulations and/or codes related to licensing, inspection and enforcement of wholesale produce facilities, 3) improving coordination between cities and the County in permitting and inspecting the condition and operation of wholesale produce facilities, 4) a review of the violations that have been rendered or given to other distribution centers within Los Angeles County to see if there is a pattern across markets or if the 7th Street Market is an exception, 5) a timeline of actions taken by the on-site inspectors responsible for carrying out the health rules and regulations and 6) whether County Counsel can assist in determining, in coordination with the City of Los Angeles, any legal actions that may need to be taken in relation to the 7th Street Market violations.

On February 21, 2007 I provided you with a status report. This is a follow-up report on actions Public Health has taken since the last report and an updated summary of actions which will improve protection of the public. We are taking steps to ensure that these changes are permanent and that there is a mechanism to ensure continued compliance.

ACTIONS IMPLEMENTED

Since November 29, 2006 we have taken the following specific actions at the 7th Street Wholesale Market: 1) inspected all wholesale food markets within the complex which resulted in 61 hearings, 64 closures, 3 permit revocations and 2 markets that voluntarily went out of business; 2) completed a survey to determine the extent of vermin infestation within the complex that resulted in citations issued to the complex operators; 3) issued citations to all customers and/or vendors observed dumping trash or cast-off produce on the ground, and 4) held three meetings attended by the wholesale food market operators clarifying code requirements and necessary compliance actions. We have conducted a total of 311 routine, compliance, or complaint inspections at the 7th Street Wholesale Market.

In order to determine if similar conditions exist at the other facilities inspected by the same inspector, we have inspected the following wholesale produce complexes and markets: 1) 8th Street Produce Market Complex (containing 37 wholesale markets), 2) Overland Terminal Complex (containing 17 wholesale markets), 3) Casablanca Produce Market Complex (containing 4 wholesale markets), 4) 9th Street Produce Market Complex (containing 36 wholesale markets), and 5) 761 Terminal Market Complex (containing 4 wholesale markets). Additionally, 12 out of 62 stand alone (non-complex) wholesale markets were inspected. The 102 inspections resulted in 47 closures and 63 hearings. A total of 177 out of 288 wholesale food market sites have been inspected to date. The conditions at these markets were consistent, but not as severe, as those violations found at the 7th Street Market. In summary, we did find the following violations: rodent infestation, lack of hot water, floor, walls and/or ceilings in disrepair/unclean, inadequate rodent proofing, and the lack of public health license to operate.

We have taken the following additional actions concerning the 7th Street Produce Market and other wholesale facilities since February 21, 2007.

- On March 2, 2007, Environmental Health staff led a follow-up meeting to the February 16, 2006 meeting with the owners and managers of the 7th Street Market complex. The complex owners agreed to the following recommendations:
 1. Draft amendment to lease for wholesale market tenants requiring pest control services performed by a single provider as selected by the complex owner; access to lease space for pest control; tenant required rodent proofing; centralized garbage and trash collection; and requisite cleaning of tenant space and prohibition of damage and/or vandalism to common restroom.
 2. Proposed plan to add two additional men and women restroom facilities.
 3. Proposed plan to add two additional janitorial facilities.
 4. Proposed plan to provide a centralized onsite refuse collection program that includes provision of marked, lockable garbage dumpsters and a program to collect recycled cardboard in a sanitary manner.
 5. Proposal to install additional exterior lighting as well as repair existing fixtures at carport canopy.
 6. Proposal to install canopy at the loading/staging area of the east building within the complex.
 7. Abatement actions include the elimination of several rodent burrows, repair of damaged exterior building complex walls, boarding and cleaning of the entire second floor of the east building, including the removal of accumulated debris, rodent and bird droppings, and dead bird and rodent carcasses.
- On March 9, 2007 Environmental Health staff met with vendors at the 7th Street Market complex and provided compliance and food safety information. The market complex owners also presented the proposed tenant lease and complex operation changes.

- Inspectors have visited the 7th Street Market complex at least weekly since February 21, 2007. Since our last report the condition of the market has improved in the following ways: 1) no produce dumped on the ground, 2) no food products stored near garbage or trash receptacles, 3) common restrooms consistently supplied with hot water, soap and towels, 4) no rodent activity observed in the food storage spaces, and 5) all tenants have trash pick-up service. However, the following violations remain: improper food storage, garbage receptacles overflowing with non-food items, the lack of rodent proofing in vacant interior spaces/exterior premises, and the presence of rodent burrows at exterior premises. We are continuing to follow up on these findings until they are resolved.
- In addition, we filed 25 Reports of Investigation in support of criminal complaints, including one against the owner/operator of the 7th Street Wholesale Market Complex, with the Los Angeles City Attorney's office. An additional three reports were filed in early March. On March 12, 2007 the Los Angeles City Attorney filed criminal complaints from the Department of Public Health and Los Angeles City Department of Building and Safety.

RECOMMENDATIONS ON CHANGES IN STATE OR COUNTY REGULATIONS

Public Health staff and County Counsel are completing a proposed ordinance which will require that the owners of any wholesale produce facility obtain a public health license (in addition to the licenses issued to each individual vendor). An annual license fee will be proposed which will cover the cost of regular inspections of the overall facility/complex. The inspections will cover common areas such as trash storage and janitorial and restroom facilities that are under the control of wholesale market complex owners/operators. The proposed code amendment will specify the responsibilities and operating standards for wholesale food facilities. In addition, we will propose revisions to existing provisions to further clarify and require greater standards of food protection, storage, and handling for wholesale food establishments, including wholesale produce markets.

We expect to complete this ordinance within the next week, and following final review by County Counsel and the Chief Administrative Officer, we expect to file it for the Board's consideration in late April or early May. I will provide a further update on our progress by April 20, 2007. In the meantime, if you have any questions or need additional information, please let me know.

JEF:tp
PH:702:002

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors